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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (SCC) SIPA

**AMENDED* DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON
APPEAL AND STATEMENT OF ISSUE TO BE PRESENTED ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, Appellants General Ore International Corporation Limited, Neu Holdings U.S. Corporation, Neu Foundation of California and Janice K. Moss (collectively, "Appellants") submit this designation of items to be included in the record on appeal and statement of issue to be presented on appeal in connection with their Notice of Appeal [ECF No. 14266] from the *Order Granting The Trustee's Two Hundred Sixtieth Omnibus Objection to General*

* This *Amended Designation of Items to Be Included in the Record on Appeal and Statement of Issue to Be Presented on Appeal* is being filed to correct certain spacing and related errors reflected in Appellants' original *Designation of Items to Be Included in the Record on Appeal and Statement of Issue to Be Presented on Appeal* (ECF No. 14274).

Creditor Claims (No Liability Claims) and Disallowing and Expunging Claims [ECF No. 14247] as “corrected” by that certain *Memorandum Endorsed Order Correcting Transcript* [ECF No. 14261].

A. Designation of Items to Be Included in the Record on Appeal

Designation Number	Date Filed or Entered	Docket Number	Description
1	September 19, 2008	1	Order Commencing Liquidation entered by the Honorable Gerard E. Lynch
2	June 1, 2009	n/a	Proof of Claim No. 5644 filed on behalf of Neu Foundation of Corporation ¹
3	June 1, 2009	n/a	Proof of Claim No. 5649 filed on behalf of General Ore International Corporation Ltd. ²
4	June 1, 2009	n/a	Proof of Claim No. 5650 filed on behalf of Neu Holdings Corporation n/k/a Neu Holdings U.S. Corporation ³
5	June 1, 2009	n/a	Proof of Claim No. 5750 filed on behalf of Janice K. Moss ⁴
6	November 20, 2009	2097	Trustee’s Motion Under SIPA Section 78fff-2(f), 11 U.S.C. Sections 105(a) and 363(b) and Fed. R. Bankr. P. 9109(a) for Approval of the Trustee’s Implementation of the LBI Liquidation Order to Complete the Account Transfers for the Benefit of Customers, Including the Related Limited Settlement Agreement Completing the PIM Conversion for the Benefit of Private Investment Management Customers, and Terminating the Account Transfer Process
7	November 24, 2009	2107	Trustee’s Affidavit of Service
8	December 14, 2009	2338	Order Pursuant to SIPA Section 78fff-2(f), 11 U.S.C. Sections 105(a) and 363(b) and Fed. R. Bankr. P. 9109(a) Approving the Trustee’s Implementation of the LBI Liquidation Order to Complete the Account Transfers for the Benefit of Customers, Including the Related Limited Settlement Agreement Completing the PIM Conversion for the Benefit of Private Investment Management Customers, and Terminating the Account Transfer Process
9	August 25, 2010	3604	Trustee’s Preliminary Investigation Report and Recommendations

¹ In accordance with S.D.N.Y. LBR 8009-1(a), Appellants have attached hereto as **Exhibit A** a true and accurate copy of Proof of Claim No. 5644.

² In accordance with S.D.N.Y. LBR 8009-1(a), Appellants have attached hereto as **Exhibit B** a true and accurate copy of Proof of Claim No. 5649.

³ In accordance with S.D.N.Y. LBR 8009-1(a), Appellants have attached hereto as **Exhibit C** a true and accurate copy of Proof of Claim No. 5650.

⁴ In accordance with S.D.N.Y. LBR 8009-1(a), Appellants have attached hereto as **Exhibit D** a true and accurate copy of Proof of Claim No. 5750.

A. Designation of Items to Be Included in the Record on Appeal (cont.)

Designation Number	Date Filed or Entered	Docket Number	Description
10	September 26, 2013	7351	Order Establishing Claims Hearing Procedures And Alternative Dispute Resolution Procedures For General Creditor Claims Pursuant To Section 105 Of The Bankruptcy Code, Bankruptcy Rule 9014, And General Order M-452
11	August 8, 2014	9605	The Trustee's Two Hundred Sixtieth Omnibus Objection to General Claims (No Liability Claims)
12	September 15, 2014	9890	Amended Response in Opposition to the Trustee's Two Hundred Sixtieth Omnibus Objection to General Creditor Claims (No Liability Claims)
13	April 11, 2015	11285	The Trustee's Reply in Further Support of the Two Hundred Sixtieth Omnibus Objection to General Creditor Claims (No Liability Claims)
14	February 20, 2015	11491	Transcript of Sufficiency Hearing held on February 19, 2015
15	March 21, 2015	11594	Surreply in Opposition to the Trustee's Two Hundred Sixtieth Omnibus Objection to General Creditor Claims (No Liability Claims)
16	March 23, 2015	n/a	Amended Proof of Claim No. 6803 on behalf of General Ore International Corporation Limited ⁵
17	March 23, 2015	n/a	Amended Proof of Claim No. 6804, on behalf of Janice K. Moss ⁶
18	March 23, 2015	n/a	Amended Proof of Claim No. 6805 filed on behalf of Neu Foundation of California ⁷
19	March 23, 2015	n/a	Amended Proof of Claim 6806 on behalf of Neu Holdings Corporation n/k/a Neu Holdings U.S. Corporation ⁸
20	April 2, 2015	11710	The Trustee's Sur-Surreply in Further Support of the Two Hundred Sixtieth Omnibus Objection to General Creditor Claims (No Liability Claims)

⁵ In accordance with S.D.N.Y. LBR 8009-1(a), Appellants have attached hereto as **Exhibit E** a true and accurate copy of Amended Proof of Claim No. 6803.

⁶ In accordance with S.D.N.Y. LBR 8009-1(a), Appellants have attached hereto as **Exhibit F** a true and accurate copy of Amended Proof of Claim No. 6804.

⁷ In accordance with S.D.N.Y. LBR 8009-1(a), Appellants have attached hereto as **Exhibit G** a true and accurate copy of Amended Proof of Claim No. 6805.

⁸ In accordance with S.D.N.Y. LBR 8009-1(a), Appellants have attached hereto as **Exhibit H** a true and accurate copy of Amended Proof of Claim No. 6806.

A. Designation of Items to Be Included in the Record on Appeal (cont.)

Designation Number	Date Filed or Entered	Docket Number	Description
21	April 2, 2015	11711	Securities Investor Protection Corporation's Response in Further Support of the Two Hundred Sixtieth Omnibus Objection to General Creditor Claims (No Liability Claims)
22	February 24, 2016	13359	Stipulation and Order Regarding The Proofs of Claims Filed by Neu Foundation of California, <i>et al.</i>
23	August 12, 2016	13781	The Trustee's State of the Estate Presentation
24	May 1, 2017	14247	Order Granting The Trustee's Two Hundred Sixtieth Omnibus Objection to General Creditor Claims (No Liability Claims) and Disallowing and Expunging Claims
25	May 10, 2017	14258	Letter to the Honorable Shelley C. Chapman Regarding the Trustee's Two Hundred Sixtieth Omnibus Objection to General Creditor Claims (No Liability Claims)
26	May 11, 2017	14261	Memorandum Endorsed Order Correcting Transcript

B. Statement of Issue to be Presented on Appeal

Whether the Bankruptcy Court erred in ruling that Appellants are precluded as a matter of law from asserting general, unsecured claims against the insolvency estate of Lehman Brothers, Inc. ("LBI") for the damages that Appellants sustained when the account transfer requests that they caused to be submitted to LBI prior to the commencement of LBI's SIPA proceeding were subsequently repudiated and dishonored.

C. Certification

In accordance with Rule 8009(b)(1)(B) of the Federal Rules of Bankruptcy Procedure, Appellants hereby certify that they are not ordering any transcript because any transcripts (or parts thereof) necessary to Appellants' appeal are already available as part of the docket.

Dated: May 30, 2017

Respectfully submitted,

THOMPSON COBURN LLP

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--and--

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Corporation Limited, Neu Holdings U.S. Corporation,
Neu Foundation of California and Janice K. Moss

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing *Amended Designation of Items to be Included in the Record of Appeal and Statement of Issue to Be Presented on Appeal (together with all exhibits thereto)* were duly served on this 30th day of May, 2017 via the Court's CM/ECF system and/or First Class Mail, postage prepaid on James B. Kobak, Jr., Christopher K. Kiplock, Jason Benton and Jordan E. Pace, HUGHES HUBBARD & REED LLP, One Battery Park Plaza, New York, New York 10004, Mark N. Parry, MOSES & SINGER LLP, The Chrysler Building, 405 Lexington Avenue, New York, New York 10174 and Kenneth J. Caputo, Esq., SECURITIES INVESTOR PROTECTION CORPORATION, 805 15th Street, N.W., Suite 800, Washington D.C. 20005-2215

/s/ David D. Farrell